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## **Request for Determination of Applicability**

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# **HAMILTON CANAL PARCEL 1 PROPOSED PARKING STRUCTURE**

**330 JACKSON STREET  
LOWELL, MASSACHUSETTS**

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Prepared for: **Lupoli Companies**  
280 Merrimack Street  
Lawrence, MA 01840

Prepared by: **TEC, Inc.**  
146 Dascomb Road  
Andover, MA 01810



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January 22, 2020



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Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

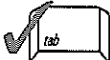
Lowell  
City/Town

**WPA Form 1- Request for Determination of Applicability**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**A. General Information**

**Important:**  
When filling out  
forms on the  
computer, use  
only the tab key  
to move your  
cursor - do not  
use the return  
key.



1. Applicant:

Lupoli Companies

GDarcy@lupolico.com

Name

E-Mail Address

280 Merrimack Street

Mailing Address

Lawrence

MA

01840

City/Town

State

Zip Code

(978) 681-7777

Phone Number

Fax Number (if applicable)

2. Representative (if any):

TEC, Inc.

Firm

Rick Friberg, PE, LEED AP

RFriberg@theengineeringcorp.com

Contact Name

E-Mail Address

146 Dascomb Road

Mailing Address

Andover

MA

01810

City/Town

State

Zip Code

(978) 794-1792

Phone Number

Fax Number (if applicable)

**B. Determinations**

1. I request the City of Lowell make the following determination(s). Check any that apply:  
Conservation Commission

- ☒ a. whether the **area** depicted on plan(s) and/or map(s) referenced below is an area subject to jurisdiction of the Wetlands Protection Act.
- ☒ b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced below are accurately delineated.
- ☒ c. whether the **work** depicted on plan(s) referenced below is subject to the Wetlands Protection Act.
- ☒ d. whether the area and/or work depicted on plan(s) referenced below is subject to the jurisdiction of any **municipal wetlands ordinance** or **bylaw** of:

Lowell

Name of Municipality

- ☐ e. whether the following **scope of alternatives** is adequate for work in the Riverfront Area as depicted on referenced plan(s).



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**C. Project Description**

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):

330 Jackson Street

Street Address

Lowell, MA

City/Town

3200

Assessors Map/Plat Number

330

Parcel/Lot Number

- b. Area Description (use additional paper, if necessary):

330 Jackson Street (Zone HCD-E), Parcel 1 of the HCD, is a 0.52 acre parcel located between Jackson Street, Middlesex Street, Canal Street and the new Lowell Justice Center, and is on Canal on 0.52 acres of land. The parcel is presently used as a construction staging area for the Lowell Justice Center. A portion of the northern side of the parcel lies within the 100' Buffer Zone for the Hamilton Canal in an area of minimal flood hazard. The proposed parking structure is proposed on Parcel 1 to maximize parking the parcel to preserve and facilitate future development opportunities on other Hamilton Canal District parcels.

- c. Plan and/or Map Reference(s):

Hamilton Canal Parcel 1 - Proposed Parking Structure Site Plans

Title

1/10/2020

Date

Title

Date

Title

Date

2. a. Work Description (use additional paper and/or provide plan(s) of work, if necessary):

The Applicant is proposing to construct an 85' parking structure onsite including the necessary utility connections, site improvements, and erosion control measures.



## WPA Form 1- Request for Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

### C. Project Description (cont.)

b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

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3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

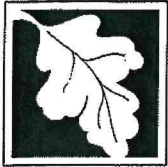
- ☐ Single family house on a lot recorded on or before 8/1/96
- ☐ Single family house on a lot recorded after 8/1/96
- ☐ Expansion of an existing structure on a lot recorded after 8/1/96
- ☐ Project, other than a single family house or public project, where the applicant owned the lot before 8/7/96
- ☐ New agriculture or aquaculture project
- ☐ Public project where funds were appropriated prior to 8/7/96
- ☐ Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
- ☐ Residential subdivision; institutional, industrial, or commercial project
- ☐ Municipal project
- ☐ District, county, state, or federal government project
- ☐ Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)

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Bureau of Resource Protection - Wetlands

Lowell  
City/Town

**WPA Form 1- Request for Determination of Applicability**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**D. Signatures and Submittal Requirements**

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Name and address of the property owner:

City of Lowell

Name

375 Merrimack Street

Mailing Address

Lowell

City/Town

MA

State

01852

Zip Code

Signatures:

I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.

Signature of Applicant

1/21/20

Date

Signature of Representative (if any)

1/21/20

Date

Edna M. Day Co

1/24/20



Louisa Varnum, Chair  
Lowell Conservation Commission  
City Hall Council Chambers  
375 Merrimack Street  
Lowell, MA 01852

January 22, 2020

Ref. T0945

Re: Hamilton Canal Parcel 1 Proposed Parking Structure  
330 Jackson Street – Lowell, MA  
Submission of Request for Determination of Applicability

Dear Ms. Varnum:

On behalf of Lupoli Companies, “the Applicant”, we are pleased to provide this narrative to the Request for Determination of Applicability for the proposed parking structure located at 330 Jackson Street in Lowell, MA (Assessor’s Map 3200, Lot 330) within the Hamilton Canal District (HCD-E). Located along the Hamilton Canal at the corner of Jackson Street and Canal Street, the vacant parcel is comprised of 0.52 acres of land next to the newly built Lowell Justice Center. The construction of this parking structure is the first of three phases of the proposed redevelopment of the Hamilton Canal, which will include a mix of uses such as residential, commercial, restaurant and office space. The Applicant is proposing to construct this 85’ high parking structure with the intention of maximizing parking on a parcel to preserve development opportunity on other HCD parcels. This will satisfy the district’s goals of creating a smooth transition between the historic mill buildings to the east and the courthouse to the west and promoting economic development by providing a source of tax base growth.

The proposed work will include the construction of the parking structure on the street and upper levels of the HCD. The 22,878 sf building footprint will occupy the majority of the parcel with the exception of an 8’ sidewalk and 3’ landscape strip on the east side of the parcel and a 12’ landscape strip on the parcel’s southern side. Utility connections into the City’s utilities will be made along both Jackson Street and Middlesex Street. A portion of the proposed work lies within the Hamilton Canal’s 100’ buffer zone, and there is no work to be done within the 50’ buffer zone. Erosion and sediment control measures such as silt sacks and compost filter tubes will be utilized to protect the Canal and the City’s utilities.

Please do not hesitate to contact me directly if you have any questions concerning our RDA Narrative at 603-601-8154. Thank you for your consideration.

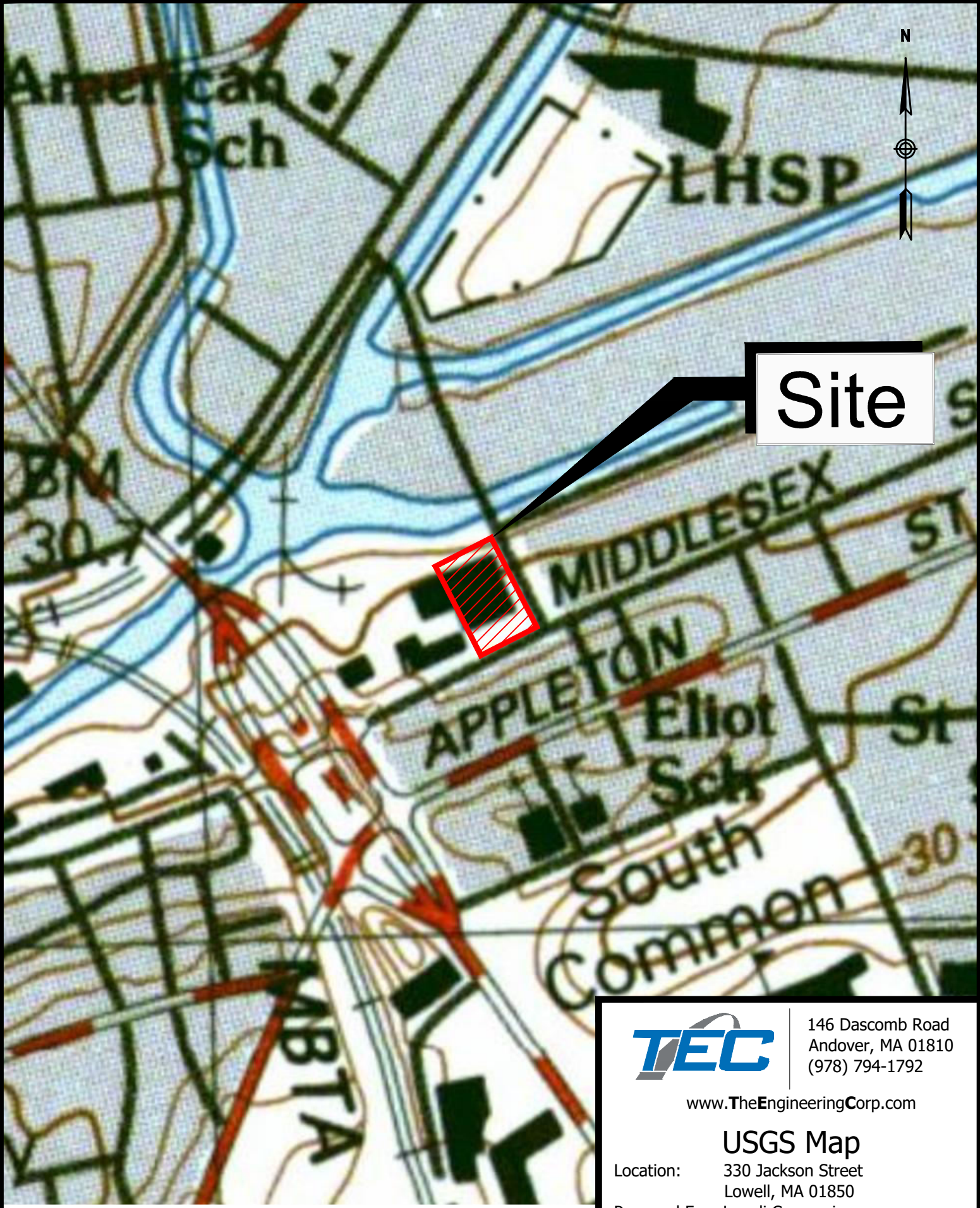
Sincerely,  
TEC, Inc.  
“The Engineering Corporation”



Richard J Friberg, PE, LEED AP  
Principal / Regional Director







Site

250 0 250 500



SCALE IN FEET

January 22, 2020



146 Dascomb Road  
Andover, MA 01810  
(978) 794-1792

[www.TheEngineeringCorp.com](http://www.TheEngineeringCorp.com)

### USGS Map

Location: 330 Jackson Street  
Lowell, MA 01850

Prepared For: Lupoli Companies  
280 Merrimack Street  
Lawrence, MA 01840







January 22, 2020



146 Dascomb Road  
Andover, MA 01810  
(978) 794-1792

[www.TheEngineeringCorp.com](http://www.TheEngineeringCorp.com)

## Aerial Photo

Location: 330 Jackson Street  
Lowell, MA 01850  
Prepared For: Lupoli Companies  
280 Merrimack Street  
Lawrence, MA 01840

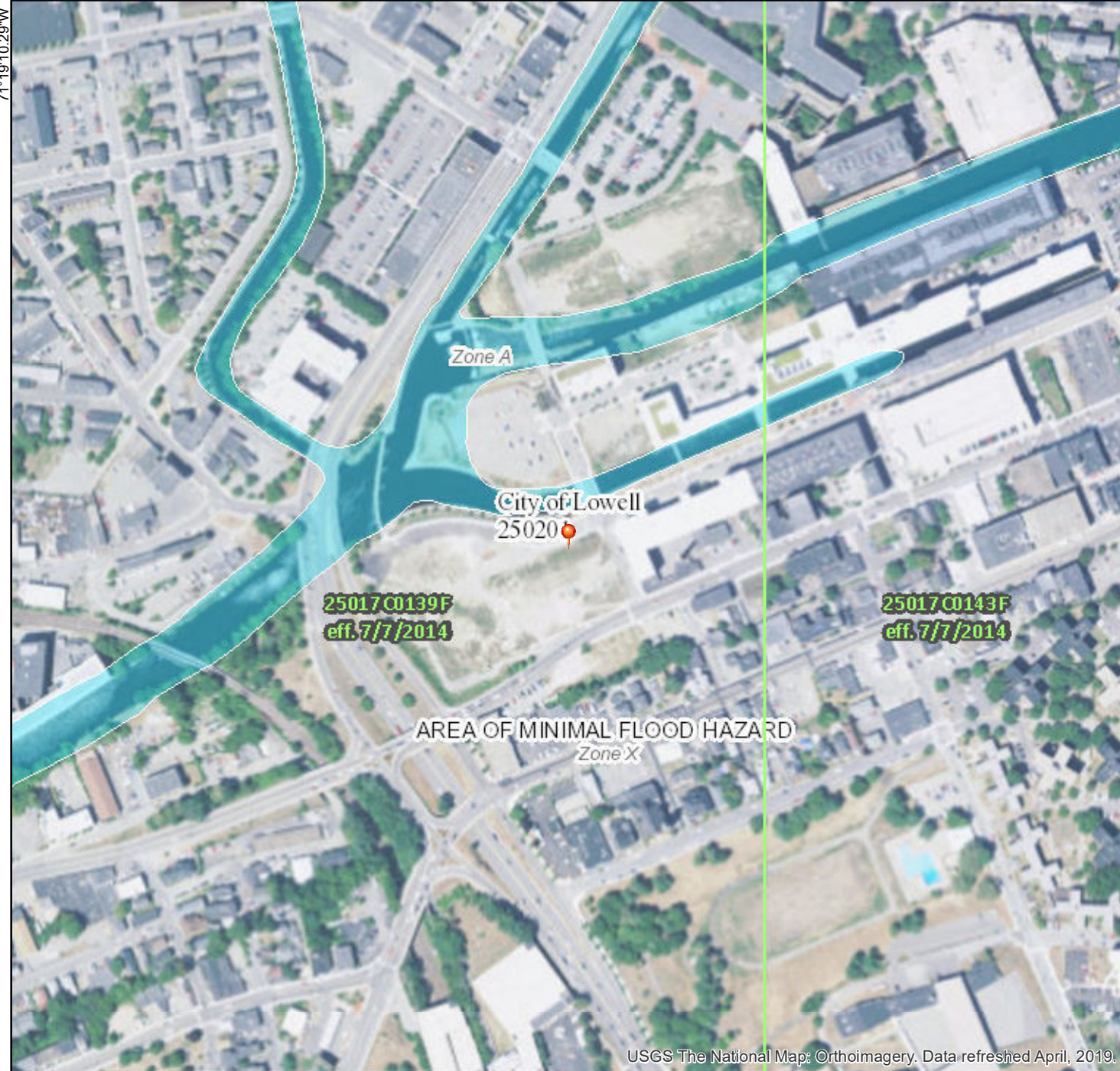




# National Flood Hazard Layer FIRMette



42°38'40.30"N



0 250 500 1,000 1,500 2,000 Feet 1:6,000

USGS The National Map: Orthoimagery. Data refreshed April, 2019.

42°38'13.84"N

## Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

|                             |  |   |
|-----------------------------|--|---|
| SPECIAL FLOOD HAZARD AREAS  |  | Without Base Flood Elevation (BFE)<br>Zone A, V, A99  |
|                             |  | With BFE or Depth Zone AE, AO, AH, VE, AR   |
|                             |  | Regulatory Floodway   |
| OTHER AREAS OF FLOOD HAZARD |  | 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X |
|                             |  | Future Conditions 1% Annual Chance Flood Hazard Zone X  |
|                             |  | Area with Reduced Flood Risk due to Levee. See Notes. Zone X  |
|                             |  | Area with Flood Risk due to Levee Zone D  |
| OTHER AREAS                 |  | NO SCREEN Area of Minimal Flood Hazard Zone X   |
|                             |  | Effective LOMRs   |
| GENERAL STRUCTURES          |  | Area of Undetermined Flood Hazard Zone D  |
|                             |  | Channel, Culvert, or Storm Sewer  |
|                             |  | Levee, Dike, or Floodwall   |
| OTHER FEATURES              |  | 20.2 Cross Sections with 1% Annual Chance Water Surface Elevation   |
|                             |  | 17.5  |
|                             |  | 513 Coastal Transect  |
|                             |  | Base Flood Elevation Line (BFE)   |
|                             |  | Limit of Study  |
|                             |  | Jurisdiction Boundary   |
| MAP PANELS                  |  | Coastal Transect Baseline   |
|                             |  | Profile Baseline  |
|                             |  | Hydrographic Feature  |
|                             |  | Digital Data Available  |
|                             |  | No Digital Data Available   |
|                             |  | Unmapped  |



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **1/13/2020 at 3:51:44 PM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

71°18'32.83"W





TO VERIFY AUTHENTICITY, SEE REVERSE SIDE FOR DESCRIPTION OF THE 13 SECURITY FEATURES

**Select One Construction**  
290 Merrimack Street  
Lawrence, MA 01843

Enterprise Bank  
290 Merrimack Street  
Lawrence, MA 01843  
53-274/113

01/22/2020

6838

\*\*\*\* THREE HUNDRED AND 00/100 DOLLARS \*\*\*\*

TO  
THE  
ORDER  
OF

City of Lowell  
375 Merrimack St  
Room 30  
Lowell, 1852

MEMO: Conservation Commission



\$300.00 \*\*\*\*

⑈000006838⑈⑈011302742⑈726287⑈





Enter your transmittal number

X285461

Transmittal Number

Your unique Transmittal Number can be accessed online:

<http://www.mass.gov/eea/agencies/massdep/service/approvals/transmittal-form-for-payment.html>

## Massachusetts Department of Environmental Protection

# Transmittal Form for Permit Application and Payment

1. Please type or print. A separate Transmittal Form must be completed for each permit application.

2. Make your check payable to the Commonwealth of Massachusetts and mail it with a copy of this form to: MassDEP, P.O. Box 4062, Boston, MA 02211.

3. Three copies of this form will be needed.

**Copy 1 - the original** must accompany your permit application. **Copy 2** must accompany your fee payment. **Copy 3** should be retained for your records

4. Both fee-paying and exempt applicants must mail a copy of this transmittal form to:

MassDEP  
P.O. Box 4062  
Boston, MA  
02211

**\* Note:**  
For BWSC Permits, enter the LSP.

## A. Permit Information

WPA Form 1

1. Permit Code: 4 to 7 character code from permit instructions

Request for Determination of Applicability (RDA)

3. Type of Project or Activity

Wetlands

2. Name of Permit Category

## B. Applicant Information – Firm or Individual

Lupoli Companies

1. Name of Firm - Or, if party needing this approval is an individual enter name below:

2. Last Name of Individual

280 Merrimack Street

5. Street Address

Lawrence

6. City/Town

Gerry Darcy

11. Contact Person

3. First Name of Individual

MA

7. State

01840

8. Zip Code

(978) 681-7777

9. Telephone #

4. MI

10. Ext. #

GDarcy@lupolico.com

12. e-mail address

## C. Facility, Site or Individual Requiring Approval

Hamilton Canal Parcel 1 Proposed Parking Structure

1. Name of Facility, Site Or Individual

330 Jackson Street

2. Street Address

Lowell

3. City/Town

MA

4. State

01850

5. Zip Code

6. Telephone #

7. Ext. #

8. DEP Facility Number (if Known)

9. Federal I.D. Number (if Known)

10. BWSC Tracking # (if Known)

## D. Application Prepared by (if different from Section B)\*

TEC, Inc.

1. Name of Firm Or Individual

146 Dascomb Road

2. Address

Andover

3. City/Town

Rick Friberg, PE, LEED AP

8. Contact Person

MA

4. State

01810

5. Zip Code

(978) 794-1792

6. Telephone #

7. Ext. #

N/A

9. LSP Number (BWSC Permits only)

## E. Permit - Project Coordination

1. Is this project subject to MEPA review? ☐ yes ☒ no  
If yes, enter the project's EOE file number - assigned when an Environmental Notification Form is submitted to the MEPA unit:

N/A

EOEA File Number

## F. Amount Due

### Special Provisions:

1. ☒ Fee Exempt (city, town or municipal housing authority)(state agency if fee is \$100 or less).  
*There are no fee exemptions for BWSC permits, regardless of applicant status.*
2. ☐ Hardship Request - payment extensions according to 310 CMR 4.04(3)(c).
3. ☐ Alternative Schedule Project (according to 310 CMR 4.05 and 4.10).
4. ☐ Homeowner (according to 310 CMR 4.02).

DEP Use Only

Permit No:

Rec'd Date:

Reviewer:

N/A

Check Number

N/A

Dollar Amount

N/A

Date